

106TH CONGRESS
1ST SESSION

H. R. 3203

To amend the Communications Act of 1934 to reduce restrictions on media ownership, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 1999

Mr. STEARNS (for himself, Mr. OXLEY, Mr. FROST, Mr. SESSIONS, Mr. FOLEY, Mr. DOYLE, and Mr. MASCARA) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Communications Act of 1934 to reduce restrictions on media ownership, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Broadcast Ownership
5 for the 21st Century Act”.

6 **SEC. 2. CROSS-OWNERSHIP LIMITATIONS.**

7 (a) RULE CHANGES REQUIRED.—The Federal Com-
8 munications Commission shall modify section 73.3555 of
9 its regulations (47 C.F.R. 73.3555) by eliminating any
10 provisions limiting the granting or renewal of an AM, FM,

1 or TV broadcast station license to any party (including
2 parties under common control) on the basis of the owner-
3 ship, operation, or control by such party of a daily news-
4 paper.

5 (b) CABLE CROSS-OWNERSHIP LIMITATIONS.—Sec-
6 tion 613(c) of the Communications Act of 1934 (47
7 U.S.C. 533(c)) is amended—

8 (1) by inserting “(1)” after “(c)”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) Notwithstanding paragraph (1), the Commission
12 may not prohibit or limit a person or entity from holding
13 any form of ownership or other interest in a broadcasting
14 station and a cable system serving the same community.”.

15 (c) DUAL-NETWORK RULES.—The Federal Commu-
16 nications Commission shall revise section 73.658(g) of its
17 regulations (47 C.F.R. 73.658(g)) to permit a television
18 broadcast station to affiliate with—

19 (1) a person or entity that maintains two or
20 more networks of television broadcast stations unless
21 such dual or multiple networks are composed of two
22 or more persons or entities that, on February 8,
23 1996, offered an interconnected program service on
24 a regular basis for 15 hours or more per week to at

1 least 25 affiliated television licensees in 10 or more
2 States; or

3 (2) any person or entity controlling, controlled
4 by, or under common control with such a person or
5 entity described in paragraph (1).

6 (d) DEADLINE FOR ACTIONS.—The Federal Commu-
7 nications Commission shall complete all actions necessary
8 to complete the modifications required by this section
9 within 90 days after the date of enactment of this Act.

10 **SEC. 3. TELEVISION MULTIPLE OWNERSHIP.**

11 Section 310 of the Communications Act of 1934 (47
12 U.S.C. 310) is amended by adding at the end the following
13 new subsection:

14 “(f) NATIONAL AUDIENCE REACH CALCULATION.—
15 In calculating the national audience reach limitations for
16 television stations under the Commission’s regulations,
17 UHF television stations shall be attributed with no more
18 than 50 percent of the television households in their mar-
19 ket.”.

20 **SEC. 4. LIMITATION ON FEDERAL COMMUNICATIONS COM-**
21 **MISSION AUTHORITY.**

22 (a) AMENDMENT.—Section 202(c)(1)(B) of the Tele-
23 communications Act of 1996 is amended by striking “35
24 percent” and inserting “45 percent”.

1 (b) DEADLINE FOR IMPLEMENTATION.—The Federal
 2 Communications Commission shall amend its regulations
 3 to implement the amendment made by subsection (a) with-
 4 in 90 days after the date of enactment of this Act. In
 5 amending such regulations, the Commission shall not re-
 6 vise section 73.3555(e)(2)(i) of its regulations (47 C.F.R.
 7 73.3555(e)(2)(i)).

8 **SEC. 5. RECIPROCAL TREATMENT OF FOREIGN OWNERSHIP**
 9 **RESTRICTIONS.**

10 Subsection (b) of section 310 of the Communications
 11 Act of 1934 (47 U.S.C. 310(b)) is amended to read as
 12 follows:

13 “(b) FOREIGN OWNERSHIP LIMITATIONS.—

14 “(1) IN GENERAL.—No broadcast or common
 15 carrier or aeronautical en route or aeronautical fixed
 16 radio station license shall be granted to or held by—

17 “(A) any alien or the representative of any
 18 alien;

19 “(B) any corporation organized under the
 20 laws of any foreign country;

21 “(C) any corporation of which more than
 22 one-fifth of any class of the capital stock is
 23 owned of record or voted by aliens or their rep-
 24 resentatives or by a foreign government or rep-

1 representative thereof or by any corporation orga-
2 nized under the laws of a foreign country;

3 “(D) any corporation directly or indirectly
4 controlled by any other corporation of which
5 more than one-fourth of any class of the capital
6 stock is owned of record or voted by aliens,
7 their representatives, or by a foreign govern-
8 ment or representative thereof, or by any cor-
9 poration organized under the laws of a foreign
10 country, if the Commission finds that the public
11 interest will be served by the refusal or revoca-
12 tion of such license.

13 “(2) RECIPROCAL TREATMENT FOR BROADCAST
14 STATIONS.—In the case of a broadcast station li-
15 cense, if the foreign country or foreign government
16 referred to in subparagraph (C) or (D) of paragraph
17 of (1) regularly permits broadcast station licenses to
18 be granted to or held by—

19 “(A) any corporation of which more than
20 one-fifth of the capital stock is owned of record
21 or voted by one or more United States persons;

22 “(B) any corporation directly or indirectly
23 controlled by any other corporation of which
24 more than one-fourth of the capital stock is

1 owned of record or voted by one or more United
2 States persons;
3 then the Commission shall apply such subparagraphs
4 (C) and (D) by permitting an alien, corporation,
5 government, or representative from such foreign
6 country to own a portion of the class of the capital
7 stock of the corporation seeking or holding the
8 broadcast station license equal to the portion of the
9 corresponding class of the capital stock of a corpora-
10 tion holding a broadcast station license in such for-
11 eign country that are permitted by such foreign
12 country or foreign government to be held by an indi-
13 vidual citizen, corporation, government, or represent-
14 ative from the United States, except that the Com-
15 mission shall not be required by this paragraph to
16 permit a portion of such capital stock ownership rep-
17 resenting voting stock higher than 40 percent.

18 “(3) DEFINITION OF UNITED STATES PER-
19 SONS.—For purposes of paragraph (2), the term
20 ‘United States person’ means—

21 “(A) any corporation organized under the
22 laws of a State;

23 “(B) an individual who is a citizen of the
24 United States;

1 “(C) a government of the United States or
2 any State; or

3 “(D) a representative of any of the individ-
4 uals or entities described in subparagraphs (A)
5 through (C) of this paragraph.”.

○